

European GNSS Agency: tasks, bodies and powers

2013/0022(COD) - 16/04/2014 - Final act

PURPOSE: to ensure independence of the exercise of activities linked to the security accreditation of the European satellite navigation systems.

LEGISLATIVE ACT: Regulation (EU) No 512/2014 of the European Parliament and of the Council amending Regulation (EU) No 912/2010 setting up the European GNSS Agency.

CONTENT: this Regulation amends the [Regulation setting up the European GNSS Agency](#) to align with the new governance framework established by the [Regulation setting up the European Agency for Satellite Navigations Systems](#).

The Regulation aims to establish mechanisms within the Agency to **ensure that the security accreditation of the European satellite navigation systems is carried out independently and without conflict of interests** once the Agency becomes the operational manager for the European radio-navigation programmes EGNOS and Galileo.

Security Accreditation Board: so as to ensure that the Security Accreditation Board is able to perform the tasks entrusted to it with complete independence, in particular vis-à-vis the other bodies and activities of the Agency, the Regulation **increases the powers** of the Security Accreditation Board and its chairperson and broadly to align that independence and those powers to the independence and powers of the Administrative Board and of the Executive Director of the Agency respectively, while providing for a cooperation requirement between the various bodies of the Agency.

- The Security Accreditation Board, rather than the Administrative Board, should prepare and approve that part of the Agency's work programmes describing **the operational activities associated with the security accreditation of the systems**, as well as that part of the annual report concerning the activities and prospects of the Agency with regard to the systems' security accreditation activities. It should submit them in good time to the Administrative Board so that they can be incorporated in the Agency's work programme and annual report. It should also exercise **disciplinary authority** over its Chairperson.

- In addition to the function of representing the Agency, **the Chairperson of the Security Accreditation Board** should manage the security accreditation activities under the direction of the Security Accreditation Board and ensure the implementation of that part of the Agency's work programmes associated with accreditation. At the request of the European Parliament or the Council, the Chairperson of the Security Accreditation Board should also submit a report on the performance of the tasks of the Security Accreditation Board and make a **declaration** before them.

Procedures should be established for the eventuality that the Administrative Board does not approve the Agency's work programmes, in order to ensure that the security accreditation process is not affected and can be carried out without discontinuity.

The Commission shall **keep the European Parliament and the Council informed**, without undue delay, of the impact of the adoption of the security accreditation decisions on the proper conduct of the programmes. If the Commission considers that a decision taken by the Security Accreditation Board may have a significant effect on the proper conduct of the programmes, for example in terms of costs, schedule or performance, it shall immediately inform the European Parliament and the Council.

Work programmes: the amending Directive specifies that the multiannual work programme of the Agency shall lay down the actions to be performed by the Agency during the period covered by the multiannual financial framework, including actions associated with international relations and the communication for which it is responsible. That programme shall set out **overall strategic programming**, including objectives, milestones, expected results and performance indicators, and resource programming, including the human and financial resources assigned to each activity.

The **Executive Director** shall, following adoption by the Administrative Board, forward the multiannual and the annual work programmes to the European Parliament, the Council, the Commission and the Member States and shall publish an executive summary thereof.

Security accreditation activities for European GNSS systems: the Directive specifies the principles according to which these activities should be conducted, inter alia:

- in a context of **collective responsibility for the security of the Union** and of the Member States;
- search for **consensus**;
- method of **management and risk evaluation**;
- decisions taken by **qualified professionals**;
- implementation according to a security accreditation **strategy**;
- a permanent, transparent and fully understandable **monitoring process**;
- decisions taken in a strictly **independent** manner;
- **protection for EU classified information** for all stakeholders involved in implementing the programmes.

Conflicts of interests: the Directive provides that Members of the Administrative Board and of the Security Accreditation Board, the Executive Director, as well as seconded national experts and observers, shall make a **declaration of commitments and a declaration of interests** indicating the absence or existence of any direct or indirect interests which might be considered prejudicial to their independence.

Revision, evaluation and audit: by 31 December 2016, and every five years thereafter, the Commission shall evaluate the Agency concerning, in particular, its impact, effectiveness, smooth running, working methods, requirements and use of the resources entrusted to it.

ENTRY INTO FORCE: 23.05.2014.